

REMARKS

Claims 1-16 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the remarks contained herein. No new matter has been added.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Clowers (U.S. Pat. No. 4,628,605) in view of Sauerwein (U.S. Pat. No. 4,272,996). This rejection is respectfully traversed.

The establishment of a *prima facie* case of obviousness requires that three basic criteria be met: 1) some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings, 2) that there must be a reasonable expectation of success, and 3) that the prior art reference or references must teach or suggest all the claim limitations. *See, e.g., In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

Regarding the requirement for some suggestion or motivation to modify the reference or to combine the reference teachings, the Examiner alleges that Clowers discloses the invention as claimed, but fails to disclose, *inter alia*, a groove in the wheel that supports the power tool blade. Furthermore, the Examiner alleges Sauerwein discloses the use of a grooved wheel and that Clowers could be modified by the teaching of Sauerwein. However, the Examiner has failed to provide the Applicant with any disclosure from either Clowers or Sauerwein which suggests this modification.

Clowers discloses a bayonet saw having a drive mechanism with an adjustable orbital blade path that uses a pair of nip bearing rollers and a rear bearing to support the power tool

blade while Sauerwein discloses a jigsaw having a drive mechanism with a non-orbital, rectilinear blade path that uses a grooved wheel to support the power tool blade. There is no motivation in the references to combine one with another. In fact, Clowers teaches away from using a grooved wheel to support the power tool blade. In column 1, lines 34-67 of Clowers, Clowers states that the use of a grooved wheel to support the power tool blade is disadvantageous as a grooved wheel does not offer sufficient lateral support to prevent the blade from twisting and turning during radial cuts.

In addition, there is nothing in Sauerwein to suggest replacing the drive mechanism with a non-orbital, rectilinear blade path with a drive mechanism having an adjustable orbital blade path disclosed in Clowers. The drive mechanism of Sauerwein is designed to reduce the blade load and crank load pressure produced from the rectilinear motion of the blade assembly by introducing a curved track on the yoke. On the other hand, the drive mechanism of Clowers is designed for an adjustable orbital blade path and uses a traditional yoke with a non-curved track. Thus, there is no suggestion or motivation in the references to combine the reference teachings. Since there is no suggestion or motivation in the references to combine the reference teachings, a *prima facie* case of obviousness has not been established.

Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

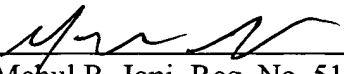
CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present

application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (410) 716-2886.

Respectfully submitted,

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